



December 16, 2021

VIA E-FILING

The Honorable Colm F. Connolly
J. Caleb Boggs Federal Building
844 N. King Street
Room 4124; Unit 31
Wilmington, DE 19801-3555

FILED UNDER SEAL

RE: *Par Pharmaceutical Inc., et al. v. Eagle Pharmaceuticals Inc.*
C.A. No. 18-cv-823-CFC-JLH

Dear Chief Judge Connolly:

Last Friday, Eagle wrote the Court stating that although “there can be no guarantee” that FDA approval of its ANDA was imminent, the FDA’s goal date for responding to Eagle’s latest ANDA submissions was December 15, 2021. Eagle has made many predictions of imminent approval over the course of the case, but this time Eagle was successful. We report that the FDA approved Eagle’s generic version of Vasostrict® yesterday.

Eagle has publicly announced that it is proceeding with plans to launch its generic product, but to our knowledge, it has not done so as yet. *See* Eagle press release (<https://investor.eagleus.com/press-releases/news-details/2021/Eagle-Pharmaceuticals-Receives-FDA-Approval-for-Vasopressin/default.aspx>). To protect the status quo pending appeal, Par has filed a motion for injunctive relief pending appeal. The parties have been discussing the briefing schedule and potential discovery on such a motion for several weeks and will continue to do so.

We will apprise the Court of any agreement that is reached and will promptly notify the Court if we learn of any further developments that impact the motion.

Respectfully submitted,

/s/ Michael J. Farnan

Michael J. Farnan

cc: Counsel of Record (Via E-Mail)